



DECLARATION OF HENRY V. CHASE UNDER 37 C.F.R. § 1.132

1. I, Henry V. Chase, declare as follows under penalty of perjury.
2. I hold a B.S. degree in Economics and a M.S degree in Finance from Cal Poly San Luis Obispo. I am a Certified Public Accountant in the State of California. I have over 25 years experience in the field of corporate accounting and finance including payroll processing.
3. For over 10 years I was an auditor for Price Waterhouse where I observed and tested the accounting systems, including payroll systems, of dozens of companies and governmental organizations. During the past 15 years, I have been the Chief Financial Officer, or have consulted to the Chief Financial Officers of over 10 public and private companies. Since 2000, I have been a partner with Tatum Partners, the largest national professional service organization of highly experienced Chief Financial Officers, and have served as the primary accounting person for a number of companies. My responsibilities for these companies have generally included the ultimate overall responsibility for company payroll matters.
4. I have reviewed the Examiner's Office Action with a mailing date of November 18, 2004 and the reference attached thereto.
5. I am readily familiar with the terms "checkbook stub," "pay stub," "paycheck stub," "direct deposit pay stub," and "direct deposit paycheck stub."
6. A paycheck stub, as that term would have been understood by one of ordinary skill in the art of accounting including payroll processing at least as early as February 10, 2000, is the stub attached to the paycheck, which is distributed to the employee and provides an employee with information concerning the employee's paycheck and, optionally, other matters. Typical information included on the paycheck stub which is given to the employee can include the pay period, the number of hours worked, the rate of pay, the gross amount of pay for the pay period, the amount of Federal and State income taxes withheld for the pay period and year to date, Medicare and Social Security tax withholding for the pay period and year to date, net pay, and vacation days accrued. Other financial information can also be provided such as deductions for

insurance and contributions to employee savings plans, such as 401(k) plans, and deductions for personal charges. In many cases, in addition to the financial information described, employers include on the paycheck stub short messages to their employees concerning signing up for benefit programs, pending distribution of W2 forms, and so forth.

7. In contrast to a "paycheck stub," a "checkbook stub," as that term would have been understood by one of ordinary skill in the art of accounting including payroll processing, at least as early as February 10, 2000, is a stub attached to a check but detached prior to distributing the check to the check's recipient; the stub is maintained in a checkbook as part of the register of checks written and disbursed. A checkbook stub can record the amount of the balance before a check is written or a deposit is made, the amount of a check or deposit, and the resulting balance after deducting the amount of a check or an addition for the amount of a deposit. It does not include information which is intended to be communicated to an employee, nor to the check's recipient. A checkbook stub is completely different from and performs an entirely different function than a paycheck stub. The term "checkbook stub" would not have been equated to mean or be associated with "pay stub" or "paycheck stub."

8. The terms, "direct deposit pay stub" and "direct deposit paycheck stub" would have been readily understood by one of ordinary skill in the art of accounting including payroll processing at least as early as February 10, 2000, to mean virtually the same thing as "pay stub" or "paycheck stub" as discussed in paragraphs 6 and 7 above with the exception that the negotiable instrument portion of the paycheck would have been void or non-negotiable. The terms "direct deposit pay stub" or "direct deposit paycheck stub" would not have been equated to mean or be associated with "checkbook stub."

Dated: May 5, 2005

Respectfully submitted,

  
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Henry V. Chase  
Tatum Partners, LP  
Los Angeles CFO Partner